

**UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND**

ALBERT L. GRAY, Administrator, ET AL	:	
	:	
VS.	:	C.A. NO. 2004-312 L
	:	
JEFFREY DERDERIAN, ET AL	:	

ESTATE OF JUDE B. HENAULT, ET AL	:	
	:	
VS.	:	C.A. NO. 2003-483 L
	:	
AMERICAN FOAM CORPORATION, ET AL	:	

**MOTION TO APPROVE SETTLEMENT BY
DEFENDANT DANIEL BIECHELE**

Defendant Daniel Biechele hereby moves this Court for an Order approving his settlement with Plaintiffs in the amount of \$1,000,000.00 (One Million and 00/100 Dollars) as a good faith settlement in accordance with R.I.G.L. §§ 10-6-7, 10-6-8, of the Rhode Island Uniform Contribution Among Joint Tortfeasors Act, as amended. Judicial approval is required to extinguish liability for any and all future claims for contribution.¹

Court approval of this Motion is one of a number of conditions precedent that has to be satisfied before this is a final, binding settlement.

In support of his Motion, Defendant Biechele submits the accompanying Memorandum and Affidavit of Donald J. Maroney, attached as Exhibit A, the contents of which are incorporated by reference in this Motion.

¹ This settlement is part of the \$1 million consideration paid as identified in the Motion and Memorandum and the Affidavit of Attorney Steven M. Richard, being Document No. 1136.

Respectfully submitted,

/s/ Donald J. Maroney

R.I. Bar No. 3737

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CERTIFICATION

The undersigned certifies that on this 29th day of May, 2009, a true copy of this Motion was filed electronically with the United States District Court for the District of Rhode Island, and with all counsel of record via electronic mail:

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I also certify that this document filed through the electronic mail system will be sent by U.S. mail, postage, pre-paid to the following on May 29, 2009.

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